

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 14, 2018

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Acquisition of Accreted Lands to State of Hawaii for Beach Purposes, Kailua,
Koolaupoko, O'ahu, Tax Map Key: (1) 4-3-007:seaward of 036.

APPLICANT AGENCY:

Department of Land and Natural Resources, Land Division

PRIVATE LANDOWNER:

Paul Douglas Alston and Tanya Rose Alston, husband and wife.

LEGAL REFERENCE:

Sections 107-10, 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Accreted lands situated at Kailua, Koolaupoko, O'ahu identified by Tax Map Key: (1) 4-3-007:seaward of 036, as shown on the attached map labeled **Exhibits A-1 and A-2**.

AREA:

5,786 square feet, more or less.

ZONING:

State Land Use District:	Conservation
City and County of Honolulu:	Preservation

CURRENT USE:

Vacant and unencumbered.

CONSIDERATION:

None. Private abutting landowners are donating the subject lands at no cost to the State.

PURPOSE:

Beach purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

No State or County funds are being used for this acquisition. However, to the extent they are, pursuant to Section 343-5(a)(1), HRS, an environmental assessment (EA) is not required where State or County funds are being used for the acquisition of unimproved real property. As the subject lands are unimproved, an EA is not required. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

None (please see Remarks section for discussion)

REMARKS:

Paul and Tanya Alston are the owners of the private property located at (TMK: (1) 4-3-007:036). Mr. and Mrs. Alston are claiming an accretion interest to approximately 5,786 square feet located between their seaward property and the shoreline (see **Exhibit B and C**). The subject area appears as a sandy beach area as shown in an aerial photograph date August 1996 in Exhibit C. Subsequently, the subject area is identified in a shoreline survey map dated December 2017. Mr. and Mrs. Alston desire to quitclaim to the State any interest they may hold in the subject area.

Since the subject area will be acquired through a quitclaim deed at no cost to the State, staff recommends that the Board waive all due diligence requirements. The quitclaim deed document form will be reviewed and approved by the Department of Attorney General. As the subject area will become part of the shoreline area already under the Department's jurisdiction, this acquisition will not impose significant management burdens on the Department's fiscal or staff resources. The Division of Boating and Ocean Recreation was consulted on this matter and they indicated no objection.

RECOMMENDATION: That the Board

- 1) Authorize the acquisition of the subject area under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:

A. Review and approval by the Attorney General; and

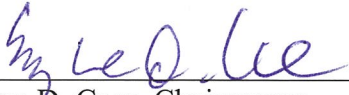
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

Respectfully Submitted,



Ian Hirokawa
Special Projects Coordinator

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

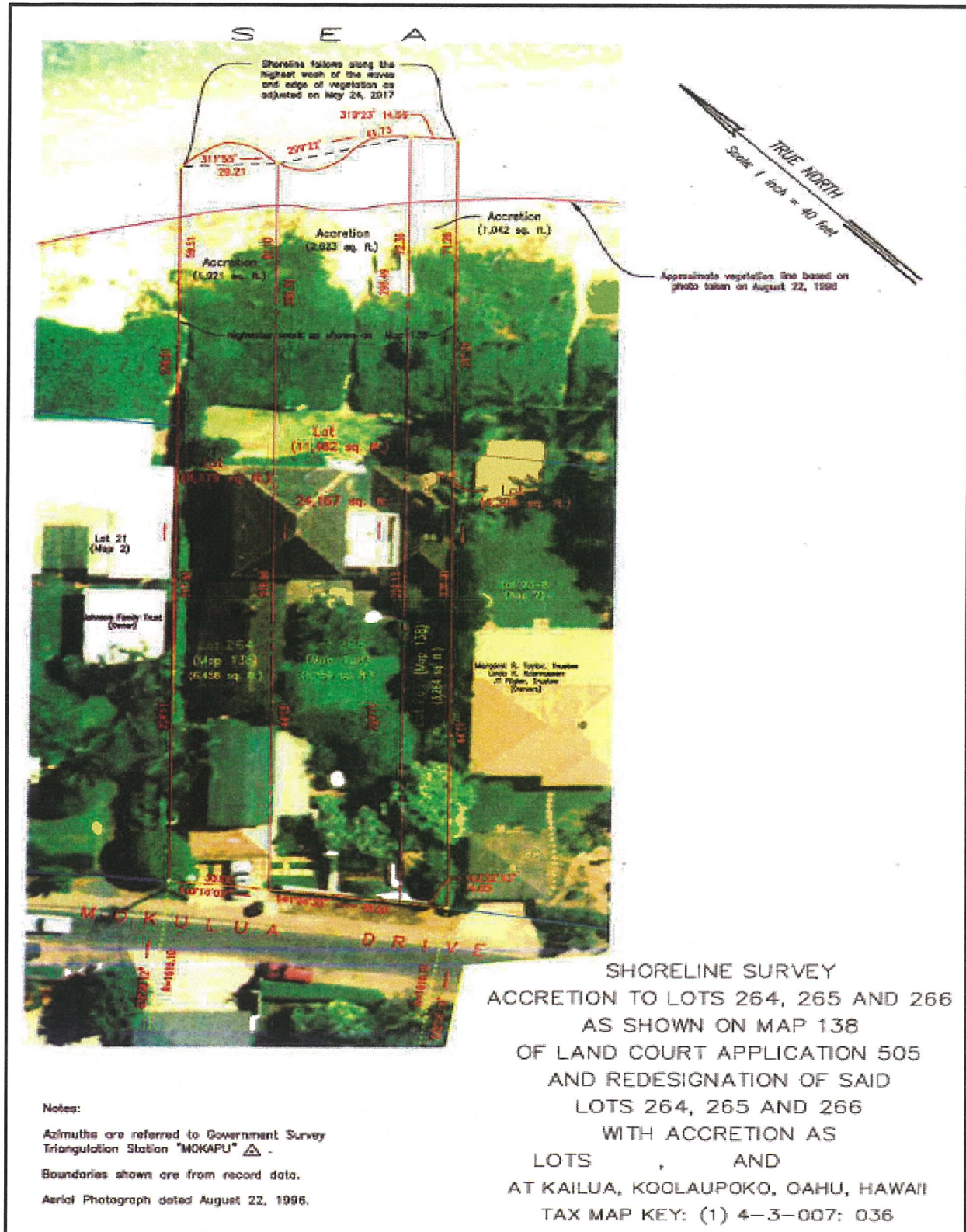




TMK: (1) 4-3-007:036

Exhibit A-2





Note: Aerial photo overlaid with the survey map to identify the area of accretion.

Exhibit C